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GENERAL ANT COMPLETE DISARMAMENT

Letter dated 31 October 1997 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to request you to have the attached document containing Cuba's observations on the question of anti-personnel landmines issued as an official document of the General Assembly under agenda item 71.

(Signed) Bruno RODRIGUEZ PARRILLA
Ambassador
Permanent Representative

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ANNEX

Observations of Cuba on the question of anti-personnel landmines

Cuba fully shares the concerns expressed by the vast majority of the international community about the terrible consequences of the irresponsible and indiscriminate use of anti-personnel landmines for the civilian populations of many countries and fully supports the humanitarian efforts being made to prevent such consequences.

At the same time, Cuba cannot overlook the fact that mines continue to be essential for the defence of many States, particularly developing countries which do not have the necessary resources to acquire alternative means of defence.

In Cuba's view, the ultimate objective of the international negotiations on mines has always been to ensure the maximum protection of the civilian population and not to limit the military capability of States to safeguard their sovereignty and territorial integrity through the use of such means, in accordance with the principle of self-defence.

It is precisely the non-recognition of that important principle that is the basic reason for Cuba's serious difficulties in supporting the total prohibition of anti-personnel mines in the present circumstances.

Moreover a comprehensive approach to the issue of mines would have to include a set of concrete and practical measures for mine-clearance, particularly in affected developing countries which do not have the facilities to undertake that task on their own. As a prerequisite, therefore, such countries must be assured of the necessary financial and technical assistance.

Cuba's military policy is to use mines solely as a defence against the external threat or use of aggression, particularly on the part of one country which is well-known for having maintained a hostile policy towards Cuba for more than three decades and which has vast arsenals of all types of weapons, including nuclear weapons.

At present, Cuba uses anti-personnel landmines solely to protect the perimeter of the Guantánamo naval base, which is Cuban territory unlawfully occupied by the Government of the United States of America.

Those mines serve a strictly defensive purpose and are intended to prevent violations and provocations and to ensure the peace of mind of the population in the areas adjoining the foreign military enclave. They also serve the military purpose of preventing North American armed forces from expanding the unlawfully occupied area with impunity and launching offensives deep into Cuban territory.

The measures taken by Cuba in using mines along the perimeter of the base ensure the complete protection of the civilian population, as well as strict compliance with all the provisions of the amended Additional Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional

Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (Convention on inhumane weapons), although it has not yet come into force.

In all international forums where the issue of anti-personnel mines has been discussed, Cuba has, among other things, supported the adoption by States of the following measures:

- Complete prohibition of the use of anti-personnel landmines in non-international conflicts;

- Complete prohibition of remotely delivered mines of all types, regardless of their degree of accuracy and "safety", as weapons of an especially offensive character;

- Complete prohibition of transfers of anti-personnel mines and the removal of any profit motives behind such transfers;

- Immediate prohibition of the use of undetectable mines or mines having devices actuated by the presence of magnetic mine detectors;

- Permitting the use of anti-handling devices only as a means of protecting mines which have been emplaced.

In view of the fact that the amended Protocol II of the Convention on inhumane weapons represents the only common ground reached by the international community after intensive negotiations, our priority now must be to achieve universal accession to that legal instrument.